

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended); A capsule extraction device comprising:

a first fixed part;

a second movable part that can be moved relative to the first fixed part;

a housing for the a capsule and defining, in a closed position of the second movable part against the first fixed part, an extraction position of the capsule along an axis in said housing;

an insertion and positioning part comprising means for guiding the capsule arranged so as to insert the capsule by gravity and position said capsule in an intermediate position;

a drink pouring system; and

the second movable part is so constructed and arranged and constructed to move the capsule from the intermediate position into the extraction position when the device is closed,

wherein the means for guiding comprises stopping means configured to keep the capsule in the intermediate position along an axis offset relative to the axis of the capsule in the extraction position in the housing, and wherein the second movable part is configured to force the capsule to move past the stopping means when the capsule travels from the intermediate position to the extraction position.

Claims 2-5 (canceled):

Claim 6 (previously presented): The device as claimed in claim 1, wherein the first part is fixed and comprises a substantially horizontal guide body to guide in translation the second movable part toward the first fixed part.

Claim 7 (previously presented): The device as claimed in claim 6, wherein the part for inserting and positioning the capsule is placed in front of the guide body and comprises two guidance means.

Claim 8 (previously presented): The device as claimed in claim 7, wherein the guidance means are pivoting and comprise stopping means arranged to immobilize the capsule in an intermediate position when the second movable part is in the open position allowing the insertion of a capsule and release the capsule when the second movable part is in the closed position allowing the capsule to move from the intermediate position to the extraction position and allowing the capsule to be released when the second movable part is reopened.

Claim 9 (currently amended): The device as claimed in claim 46, comprising in front of the guide body, a retractable stop, placed beneath the movable part.

Claim 10 (previously presented): The device as claimed in claim 1, comprising an extraction plate toward which the second movable part moves the capsule to the extraction position.

Claim 11 (previously presented): The device as claimed in claim 1, wherein the second movable part is moved by means ensuring the movement to the open and closed position.

Claim 12 (previously presented): The device as claimed in claim 11, wherein the means ensuring the movement are a system of rods.

Claim 13 (previously presented): The device as claimed in claim 1, wherein the reopening of the second movable part allows the capsule to fall by gravitation.

Claim 14 (previously presented): The device as claimed in claim 13, wherein the capsule is guided in its fall by the guidance means.

Claim 15 (currently amended): A coffee machine comprising: a capsule extraction device comprising a first fixed part, a second movable part that can be moved relative to the first fixed part, a housing for ~~the~~a capsule and defining, in a closed position of the second movable part against the first fixed part, an extraction position of the capsule along an axis in said housing, an insertion and positioning part comprising means for guiding the capsule arranged so as to insert the capsule by gravity and position said capsule in an intermediate position, a drink pouring system,

and the second movable part is so arranged and constructed to move the capsule from the intermediate position into the extraction position when the device is closed; a water tank; a water pipe; a pump for moving the water; means of heating the water and a water outlet in the second movable part of the device,

wherein the means for guiding comprises stopping means configured to keep the capsule in the intermediate position along an axis offset relative to the axis of the capsule in the extraction position in the housing, and wherein the second movable part is configured to force the capsule to move past the stopping means when the capsule travels from the intermediate position to the extraction position.

Claim 16 (currently amended): A capsule extraction device comprising:

- a first fixed part;
- a second movable part that can be moved relative to the first fixed part;
- a housing for ~~the~~^a capsule and defining, in the closed position of the movable second part against the first fixed part, an extraction position of the capsule along an axis in said housing;
- an insertion and poisoning positioning part allowing said the capsule to be positioned in an intermediate position;
- a drink pouring system; and
- the second movable part so constructed and arranged to move the capsule from the intermediate position into the extraction position when the device is closed,

wherein the insertion and positioning part comprises stopping means configured to keep the capsule in the intermediate position along an axis offset relative to the axis of the capsule in the extraction position in the housing, and wherein the second movable part is configured to force the capsule to move past the stopping means when the capsule travels from the intermediate position to the extraction position.